

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

CARMELITA M. DESIDERIO, as
Personal Representative of the Estate of
PHILLIP R. CURLEY, deceased,

Plaintiffs,

vs.

No. 1:23-CV-00057- WJ-KRS

THE UNITED STATES OF AMERICA,
JANELLE D. JONES, M.D., and
JOY G. HARRISON, M.D.,

Defendants.

STIPULATED MOTION TO DISMISS WITH PREJUDICE

COME NOW, Plaintiff, Plaintiff Carmelita M. Desiderio, individually and as Personal Representative of the Estate of Phillip R. Curley, by and through counsel of record, Rawls Law Group PC (David A. Tierney and Brewster Rawls) and Keeler & Keeler, LLP (William R. Keeler), and Defendant, Janelle D. Jones, M.D. (“Dr. Jones”), through her counsel of record, Priest & Miller, LLP, (Ada B. Priest and Sydney L. Jans), and respectfully request that Plaintiff’s claims against the Janelle D. Jones, MD be dismissed with prejudice because all matters in controversy have been fully settled and compromised. This stipulation is only as between Janelle D. Jones, MD, and not remaining defendant Joy G. Harrison, MD, who has defaulted.

WHEREFORE, the parties respectfully request the Court enter an Order dismissing Plaintiff’s claim against Defendant Janelle D. Jones, MD, with prejudice, each party shall bear their own attorney’s fees and costs. Defendant Janelle D. Jones, MD and Plaintiff have successfully resolved their dispute and reached a full and complete settlement of all claims and costs herein. The requested order should not apply to Defendant Joy G. Harrison, MD.

Respectfully submitted,

PRIEST & MILLER, LLP

/s/ Sydney L. Jans

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/s/ Approved via email 2/17/2025

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CERTIFICATE OF SERVICE

I certify on this 18th day of February 2025, the foregoing was electronically filed through the Court's EM/ECF filing system, which caused the parties and counsel to be served by electronic means as reflected on the Notice of Electronic Filing.

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